

JDM.

MICHAEL SCOTT GRUPP, II : 14TH JUDICIAL DISTRICT COURTVS. NO. 2020-0007 : PARISH OF CALCASIEUSTATE FARM MUTUAL AUTOMOBILE : STATE OF LOUISIANA
INSURANCE COMPANYFILED: JAN 02 2020

DEPUTY CLERK

Kristen Lewis1 Conf**PETITION FOR DAMAGES**

NOW INTO COURT, through undersigned counsel, comes MICHAEL S. GRUPP, II, Petitioner, a person of the full age of majority domiciled in Calcasieu Parish, Louisiana, who respectfully states that:

f1

SCANNED**JAN 16 2020**

1.

Named as defendant herein is:

A. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, a foreign insurance company authorized to do and doing business in the Parish of Calcasieu, State of Louisiana, hereinafter referred to at times as "STATE FARM."

2.

At all times mentioned herein, Paula Langer Cooper owned and was operating that vehicle described as a 2010 Lincoln Navigator bearing VIN 5LMJJ2H55AEJ11122 and Louisiana License Plate No. ST27404.

3.

At all times mentioned herein, Petitioner was the operator of that certain vehicle described as a 2015 Chevrolet Express G35 bearing VIN 1GB0G2CGXF1137891 and Louisiana License Plate No. C346730 with the permission of the owner, ARC AIR CONDITION AND HEATING.

4.

At all times mentioned herein, STATE FARM had in full force and effect a policy (policy no.: 3215736-A23-18C) of automobile liability insurance providing uninsured/underinsured motor vehicle coverage in favor of petitioner, MICHAEL S. GRUPP, II. The underlying liability coverage is not sufficient to cover Petitioner's damages.



Filing Date: 01/02/2020 12:00 AM
Case Number: 2020-000007
Document Name: PETITION

Page Count: 3

PROCESSED**Date: JAN 15 2020**

Date 01-02-2020
Check # 34108
From Grassed & flat
450.00
rec'd by CL

5.

On or about the 12th day of January, 2018, the vehicle Petitioner was driving was traveling east on Belden Street and came to a complete stop at the intersection of Kirkman Street when suddenly and without warning, the said vehicle was rear-ended by the vehicle being driven by Paula Langer Cooper.

6.

The sole proximate cause of the crash was the negligence of Paula Langer Cooper in the following non-exclusive particulars:

- a) In failing to see what she should have seen;
- b) In driving generally in a reckless and careless manner;
- c) In rear-ending the vehicle which Petitioner occupied;
- d) In failing to notice the imminence of a crash and taking necessary steps to avoid the same; and
- e) Any other acts of negligence which may be revealed through discovery and proven at the trial of this case.

7.

As a result of the said crash, Petitioner received the following injuries:

- a) The usual bumps, bruises and contusions resulting from a crash of this type;
- b) Neck pain including but not limited to the discs, ligaments, and muscles of his spine; and
- c) Upper and lower back pain including but not limited to the discs, ligaments, and muscles of his spine.

8.

As a result of the crash, Petitioner has suffered and is entitled to recover for the following items of damage:

PLAINTIFF NO. 1:

- a) Past, present, and future medical expenses;
- b) Past, present, and future physical pain and suffering;
- c) Past, present, and future mental anguish, pain, and inconvenience;
- d) Permanent disability;
- e) Loss of earnings and/or earning capacity; and
- h) Loss of enjoyment of life.

9.

Petitioner's cause of action stated herein against the Defendant does exceed fifty thousand dollars exclusive of interest and costs.

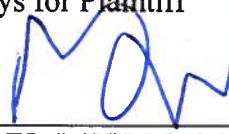
WHEREFORE, the premises considered, Petitioner prays that:

I. Defendants, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,
be served with a copy of this petition and be duly cited to appear and answer same;

II. After due proceedings had, there be judgment herein in favor of Petitioner, MICHAEL S. GRUPP, II and against defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, for such sums as may be reasonable under the circumstances of this case, together with legal interest thereon from the date of judicial demand, until paid, penalties, attorney fees, and all costs of these proceedings; and

III. Petitioner be granted all further and different relief as the facts, law, and equity of this case require.

RESPECTFULLY SUBMITTED BY
BROUSSARD & HART, LLC,
Attorneys for Plaintiff



MICHAEL J. WILLIAMSON (#31004)
AARON BROUSSARD (#30134)
JASON R. BELL (#30860)
RACHEL K. COUVILLION (#33927)
1301 Common Street
Lake Charles, LA 70601
(337) 439-2450 Telephone
(337) 439-3450 Facsimile
Mike@broussard-hart.com

SERVICE INSTRUCTIONS:

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
Through its registered agent for service of process:
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, LA 70809

APPENDIX 9.6

LOUISIANA CIVIL CASE REPORTING

Civil Case Cover Sheet - LA. R.S. 13:4688, Part G, §13 of the Louisiana Supreme Court General Administrative Rules, and Appendix 9.6 of the Louisiana District Court Rules

This civil case cover sheet shall be completed by counsel for the petitioner, counsel's authorized representative, or by the self-represented litigant (if not represented by counsel) and submitted with the original petition filed with the court. The information should be the best available at the time of filing. This information does not constitute a discovery request, response or supplementation, and is not admissible at trial.

Suit Caption:

Michael Scott Grupp, II

State Farm Mutual Automobile Insurance Company

vs.

Court: 14th Judicial District Court

Docket Number: 2020-0007

Parish of Filing: Calcasieu

Filing Date: FILED JAN 02 2020

Name of Lead Petitioner's Attorney: Michael J. Williamson

Kristin Lewis
Deputy Clerk of Court
Calcasieu Parish, Louisiana

Name of Self-Represented Litigant:

Number of named petitioners: 1

Number of named defendants: 1

Type of Lawsuit: Please check the categories which most appropriately apply to this suit (no more than 3 categories should be checked):

- | | |
|---|--|
| <input type="checkbox"/> Auto: Personal Injury | <input type="checkbox"/> Auto: Property Damage |
| <input type="checkbox"/> Auto: Wrongful Death | <input checked="" type="checkbox"/> Auto: Uninsured Motorist |
| <input type="checkbox"/> Asbestos: Property Damage | <input type="checkbox"/> Asbestos: Personal Injury/Death |
| <input type="checkbox"/> Product Liability | <input type="checkbox"/> Premise Liability |
| <input type="checkbox"/> Intentional Bodily Injury | <input type="checkbox"/> Intentional Property Damage |
| <input type="checkbox"/> Intentional Wrongful Death | <input type="checkbox"/> Unfair Business Practice |
| <input type="checkbox"/> Business Tort | <input type="checkbox"/> Fraud |
| <input type="checkbox"/> Defamation | <input type="checkbox"/> Professional Negligence |
| <input type="checkbox"/> Environmental Tort | <input type="checkbox"/> Medical Malpractice |
| <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Toxic Tort |
| <input type="checkbox"/> Legal Malpractice | <input type="checkbox"/> Other Tort (describe below) |
| <input type="checkbox"/> Other Professional Malpractice | <input type="checkbox"/> Redhibition |
| <input type="checkbox"/> Maritime | <input type="checkbox"/> Class action (nature of case) |
| <input type="checkbox"/> Wrongful Death | |
| <input type="checkbox"/> General Negligence | |

CALCASIEU CLERK-COST
JAN 02 2020 PM 01:35:01

Please briefly describe the nature of the litigation in one sentence of additional detail:

Defendant had in effect a policy of automobile liability insurance providing uninsured/underinsured motor vehicle coverage in favor of petitioner. The underlying coverage was not sufficient to cover damages.

Following the completion of this form by counsel, counsel's representative, or by the self-represented litigant, this document will be submitted to the Office of the Judicial Administrator, Supreme Court of Louisiana, by the Clerk of Court.

Name, address and contact information of person completing form:

Name Michael J. Williamson

Signature 

Address 1301 Common Street, Lake Charles, LA 70601

Phone number: (337) 439-2450

E-mail address: mike@broussard-hart.com

CMSS 715600
Filing Date: 01/02/2020 12:00 AM
Case Number: 2020-000007
Document Name: Damages - Supreme Court Form
Page Count: 1

TO: COMMISSIONER OF INSURANCE
P.O. BOX 94214
BATON ROUGE, LA 70604

FROM: CLERK OF COURT, PARISH OF CALCASIEU

RE: R.S. 92800.7

PERSONAL INJURY SUIT

Section A shall be obtained by the Clerk of Court at the time suit is filed and submitted to the Commissioner of Insurance within 30 days of filing. Section A shall also be completed at the time Judgment becomes definitive.

A. INITIAL INFORMATION

1. Caption of Suit: Michael Scott Grupp, II
Vs.
State Farm Mutual Automobile Insurance Company

a) Parish: Calcasieu
c) Judicial District: 14th
e) Type Suit:

1. Auto
2. X Uninsured Motorist
3. Government Liability
4. General Liability
5. Products Liability
6. Property Damage

b) Docket No. _____
d) Filing Date: _____

7. Professional Liability
 - a. Medical
 - b. Legal
 - c. Architectural
 - d. Accounting
 - e. Engineering
8. Other

2. Nature of injuries (if ascertainable from Petition):

Plaintiff sustained injuries to his neck and upper and lower back.

Section B shall be obtained by the Clerk of Court and submitted to the Commissioner of Insurance within 30 days of definitive Judgment. (Section A. [1 a - c] must also be completed in order to accurately report.)

B. JUDGMENT INFORMATION

1. Judgment by Merit Trial

- a) Judge Jury
b) For the Plaintiff For the Defendant
c) Judgment awarded, exclusive of interest and costs:
- i. -0-
 - ii. -0- but less than \$10,000
 - iii. \$10,000, but less than \$25,000
 - iv. \$25,000, but less than \$50,000
 - v. \$50,000, but less than \$100,000
 - vi. \$100,000, but less than \$250,000
 - vii. \$250,000, but less than \$500,000
 - viii. \$500,000, but less than \$750,000
 - ix. \$750,000, but less than \$1,000,000
 - x. \$1,000,000, but less than \$2,000,000
 - xi. \$2,000,000, or more

2. Appeal Status:

a) Appeal Entered b) No Appeal Entered

Section C shall be completed by the Clerk and submitted to the Commissioner of Insurance within 30 days of dismissal

3. DISMISSAL INFORMATION

1. Date of dismissal:
2. With prejudice Without prejudice

Section D: A processing fee of \$10.00 shall be taxed as costs of court in each suit on which the information required by this section is submitted by the Clerk of Court. Upon rendering of Judgment under Section B of this form or dismissal under Section C of this form, \$5.00 shall be paid to the Commissioner of Insurance by the Clerk of Court and \$5.00 shall be retained by the Clerk of Court from the court costs paid in Section D.

CLERK OR DEPUTY CLERK



C M S 6 7 1 5 6 0 1
Filing Date: 01/02/2020 12:00 AM
Case Number: 2020-000007
Document Name: PLEADING

Page Count: 1

FILED JAN 02 2020
Kristen Lewis
Deputy Clerk of Court
Calcasieu Parish, Louisiana

CALCASIEU CLERK-COST
JAN 02 2020 PM01:35:13

MICHAEL SCOTT GRUPP, II

VS No. 2020-0007

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY

FILED: JAN 02 2020

:
:
:
:
:
:
:
:
:
:

14TH JUDICIAL DISTRICT COURT

PARISH OF CALCASIEU

STATE OF LOUISIANA

Kristen Lewis
DEPUTY CLERK

**REQUEST FOR WRITTEN NOTICE OF
ASSIGNMENT AND/OR WRITTEN NOTICE OF
ANY ORDER OR JUDGMENT MADE OR RENDERED**

TO: Honorable Lynn H. Jones, II
Calcasieu Parish Clerk of Court
1000 Ryan Street
Lake Charles, LA 70601

In accordance with the provisions of Articles 1571 and 1572 of the Louisiana Code of Civil Procedure, you are hereby requested to give us, as counsel for Plaintiff **MICHAEL SCOTT GRUPP, II**, in the above-entitled cause, written notice, by mail, ten (10) days in advance of any date fixed for any trial or hearing of the case, whether on exception, rules, or merits thereof.

And in accordance with the provisions of Articles 1913 and 1914 of the Louisiana Code of Civil Procedure, you are hereby additionally requested to send us immediate notice of any order or judgment made or rendered in this case upon the entry of any such order or judgment.

Thank you for your cooperation.

RESPECTFULLY SUBMITTED BY
BROUSSARD & HART, LLC,
Attorneys for Plaintiff

[Signature]

MICHAEL J. WILLIAMSON (#31004)
AARON BROUSSARD (#30134)
JASON R. BELL (#30860)
RACHEL K. COUVILLION (#33927)
1301 Common Street
Lake Charles, LA 70601
(337) 439-2450 Telephone
(337) 439-3450 Facsimile
Mike@broussard-hart.com

CALCASIEU CLERK-COST
JAN 02 2020 PM01:35:27



C M S 6 7 1 5 8 0 4
Filing Date: 01/02/2020 12:00 AM Page Count: 1
Case Number: 2020-000007
Document Name: REQUEST WRITTEN NOTICE

BROUSSARD & HART

1301 COMMON STREET
LAKE CHARLES, LA 70601

TELEPHONE (337) 439-2450

FACSIMILE (337) 439-3450

WWW.BROUSSARD-HART.COM

PERSONAL INJURY ATTORNEYS

January 2, 2020

STEVEN BROUSSARD

RACHEL@BROUSSARD-HART.COM

RANDALL E. HART*

RANDALL@BROUSSARD-HART.COM

AARON BROUSSARD

AARON@BROUSSARD-HART.COM

MICHAEL J. WILLIAMSON

MIKE@BROUSSARD-HART.COM

*LICENSED IN TX AND LA

VIA HAND DELIVERY

Honorable H. Lynn Jones
14th Judicial District Court
1000 Ryan Street
Lake Charles, LA 70601

FILED JAN 02 2020
Kristen Lewis
Deputy Clerk of Court
Calcasieu Parish, Louisiana

Re: Michael Scott Grupp, II
Vs. 2020-0007
State Farm Mutual Automobile Insurance Company

Dear Mr. Jones:

Enclosed please find an original and two (2) copies of a *Petition for Damages* and *Request for Written Notice*. Please file the originals in the record, serve copies of these pleadings as instructed in the *Petition*, and return a conformed copy of each to our office.

Enclosed is our firm's check in the amount of \$450.00 to cover the filing and service fees associated with this matter.

Thanking you in advance for your time and kind assistance, I remain

Sincerely,



MICHAEL J. WILLIAMSON

MJW/hdw
Enclosures



C M S 6 7 1 5 5 9 9
Filing Date: 01/02/2020 12:00 AM
Case Number: 2020-000007
Document Name: LETTER

Page Count: 1

Citation



MICHAEL SCOTT GROUP II
VS. 2020-000007
STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY

14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY
THROUGH LOUISIANA
SECRETARY OF STATE,
8585 ARCHIVES AVE
Baton Rouge, LA 70809

Parish of East Baton Rouge, Louisiana, Defendant in said suit:

YOU ARE HEREBY CITED TO APPEAR before said Court, for said Parish, and to comply with the demand contained in the petition of MICHAEL SCOTT GRUPP II, "PETITION FOR DAMAGES" against you, certified copy of which petition accompanies this citation, or file your answers thereto in writing in the office of the Clerk of Court, at the Courthouse, in the City of Lake Charles, in said Parish, within fifteen (15) days after the service hereof, under penalty of default.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana, this 2nd day of January 2020.

Issued and delivered January 15, 2020

Shelbie Lynne Hardy

Shelbie Hardy
Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



C M S 6 7 1 7 4 4 1
Filing Date: 01/15/2020 11:16 AM Page Count: 1
Case Number: 2020-000007
Document Name: Citation